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Breaking into the Academy: The 1996-97 *Michigan Journal of Race & Law* Guide for Aspiring Law Professors

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BREAKING INTO THE ACADEMY: THE 1996-97 MICHIGAN JOURNAL OF RACE & LAW GUIDE FOR ASPIRING LAW PROFESSORS*

Edited by

*Gabriel J. Chin**
Denise C. Morgan****

Denise C. Morgan	
<i>Advice for Law Professor Wannabes</i>	552
Michele Baker Richardson	
<i>Law Teaching Fellowship Programs</i>	560
Gabriel J. Chin	
<i>Graduate Degree Programs</i>	567
Verna C. Sanchez	
<i>Legal Methods Teaching Programs</i>	573
Terrance Sandalow	
<i>On Becoming a Law Professor</i> [†]	580

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† Professor Sandalow's essay was solicited by the editors of the *Michigan Journal of Race & Law*.

ADVICE FOR LAW PROFESSOR WANNABES

Denise C. Morgan

I was not very far into my law school experience when I realized that my professors had the best job in town—it took me quite a bit longer to discover that I, too, could get in on the deal. Do not misunderstand me: being a law professor is not easy. In fact, to be done correctly, the job requires a tremendous amount of intellectual energy and emotional commitment. However, if you *enjoy* writing, research, public speaking, and developing mentoring relationships, being a law professor could be the career for you. This article, and the listings of helpful organizations and citations to other articles about law teaching that follow, are intended to help guide the law professor wannabe through the process of applying for a tenure-track faculty position at a law school.

The Groundwork

Once you have set your sights upon a career in law teaching you must determine how to best position yourself to obtain a job in the field. The answer is to write, publish, and bolster your credentials. Write as many papers with as many of your law school professors as you can; write onto a journal and have your article published; work as a research assistant for a professor and write with him or her; work for a judge and write bench memos and draft opinions; work for a public interest organization or law firm and publish scholarship about the law you practice there. Whatever you do, write. In addition to providing proof of your interest in legal scholarship and supplying material from which you can fashion a job talk (a scholarly presentation that is a common feature of the interview process), writing with professors, judges, and lawyers will allow you to find mentors who will be able to vouch for your abilities when you need recommendations.

You should also consider whether you want to enter academia straight from law school or whether you prefer to practice before going into teaching. There are two schools of thought on that question. The first is that there is nothing that prepares one for law teaching better than being a law student and time outside of an academic environment might actually be detrimental to one's ability to produce significant legal scholarship. The other view is that it is impossible to teach law without seeing how it works in practice and legal scholarship is more meaningful when it draws upon wisdom gained from at least a few years of working in the trenches. Either way, the more impressive the credentials you are able to assemble,

the more likely it is that you will be able to get a teaching position. If your law school record is very strong and you feel ready to take the plunge straight into academia, go for it. However, if you are insecure about your ability to compete in the job market because you did not attend one of the more prestigious law schools or have not published any legal scholarship, doing a clerkship or completing an LL.M. or teaching fellowship program can improve your chances of acquiring a teaching position at the law school of your choice.

The Application

The process of applying for law teaching positions can be an ego-bruising experience—even for those who do get jobs. Chances are that you will not have faced such stiff competition for something that you wanted so desperately since sometime during puberty. Accordingly, your first step in applying for a teaching position should be to prepare yourself emotionally for the long, strange trip—self-confidence is eighty percent of what is necessary to survive the application process. After you have secured signed and notarized statements from your friends and family saying that they will still love you even if you don't get a teaching position at your first-choice school on your first try—get in touch with those professors, judges, and lawyers with whom you have worked most closely. Update your resume and send a copy to your mentors to let them know what you have been doing. Ask them for advice, guidance, and recommendations.

In July or August of the year before you hope to begin teaching you should get in touch with the Association of American Law Schools (AALS). You can contact the AALS by mail: 1201 Connecticut Avenue, N.W., Suite 800, Washington, D.C. 20036-2605; by phone: (202) 296-8851; or by fax: (202) 296-8869. While a significant number of candidates obtain job interviews outside of this formal process, the AALS does a number of things to help smooth the law professor wannabe's path into academia. For a small fee, the AALS will list your name in the Faculty Appointments Register, send you copies of its *Placement Bulletin*, and invite you to the Faculty Recruitment Conference. The fee to register with the AALS is currently \$195 (\$229 for late registration). Unless you are absolutely certain that there are only one or two law schools at which you would ever want to teach, you should give serious thought to registering with the AALS. If you are interested in joining the clinical faculty at a law school, you should also contact the Clinical Legal Education Association, which publishes the most comprehensive listing of clinical job openings. Their address is: 6020 South University Avenue, Chicago, IL 60637; phone: (312) 702-9611. Some bar associations also

offer assistance to lawyers who are interested in breaking into legal academics. Finally, you should call the career services office of the law school from which you graduated and let them know that you are looking for a teaching job. Law schools often share information on their graduates who are on the teaching market.

The AALS Faculty Appointments Register

Every year the AALS distributes a compilation of short-form resumes submitted by the candidates for law teaching jobs who register with them—usually between 1100 and 1300 people. Every law school in the country receives a copy of the register, and most of the hiring committees study it quite carefully. Accordingly, you should pay significant attention to the material you submit for inclusion. A few tips:

Your AALS short-form resume should be accurate, concise, and show your strengths prominently. Neatness counts: remember that the form will be copied *as is* for inclusion in the register. Also, do not delay in returning the form to the AALS—it is to your advantage to be included in the earliest possible distribution.

Do a bit of soul searching before you fill out the section of the AALS form asking for your subject matter interests and primary areas of research. Law schools will expect you to exhibit a consuming passion for at least one subject matter area, not just a general interest in teaching any old thing. Find your passion. On the other hand, law schools are often looking to fill particular holes in their curriculum—so you should think broadly about subjects which you would be willing to teach. A good strategy is to identify one basic first-year course, like contracts, torts, property or civil procedure, that you would be willing to teach, as every law school has to offer those courses every year.

Keep in mind that the competition is fiercest for teaching jobs at the most prestigious schools and in the most popular geographical areas. If you really want to teach law, you should consider talking to a variety of law schools all over the country. Professors whose scholarship is well regarded often receive invitations for visiting professorships at other schools. Therefore, the first school at which you teach will not necessarily be the institution at which you remain for all time.

The references you list on your AALS form should have had close and recent experience working with you. It is most important that they be willing to vouch for your professorial potential and that they be unequivocal supporters of your application for a teaching position.

The AALS Faculty Recruitment Conference

In the beginning of November, the AALS holds an event that is fondly known as The Meatmarket. Most law schools schedule interviews with candidates every thirty minutes all day long over the course of the three days of the AALS Recruitment Conference. If you have a number of interviews, the Recruitment Conference can be grueling—try to arrange your schedule so you will have time to collect yourself between each session. Also, remember that as exhausted as you may be from your trip to the conference and from fighting your way through the crowds to get to your next appointment, your interviewers are likely to be even more drained than you are. They have been sitting in a small room for days on end, poring over resumes and listening to candidates. A few thoughts on how to make your interviews go smoothly:

By the time you get to the Meatmarket you *must* be able to answer the following question in your sleep: “Why do you want to go into law teaching?” In responding to this question you have the opportunity to show your interviewers your enthusiasm for teaching, scholarship, and the law—don’t be humdrum.

Be on time. Tardiness is not the way to make a good first impression, and you may not have a chance to make a better second impression.

Do some homework about the schools with which you will be interviewing and the professors with whom you will be meeting. Be prepared to ask questions about the law school. For example, you might want to know what support is available to help you with your research and writing projects, how collegial the faculty is, what your first year teaching load is likely to be, and what the caliber of the student body is.

Refamiliarize yourself with your own written work—there is nothing more embarrassing than having your interviewer remember your article(s) better than you do.

Do not spend your entire interview time exchanging pleasantries. Your interviewers want to see your ability to manipulate legal doctrine, not cocktail party chat. Do not leave them with the impression that you are a nice person who is not particularly interested in talking about the law.

The Job Talk

Law Schools operate on wildly different schedules after the AALS Recruitment Conference. Some schools contact applicants immediately after the conference, and others wait up to three or four weeks after the conference to get in touch with applicants whom

they are interested in inviting to campus for further interviews. In fact, some schools begin making offers to applicants as early as November, and others don't get around to actually hiring anyone until February or March of the next year. There's just no predicting.

Be that as it may, the earlier you start working on your job talk, the better. Try to pick a subject that will sustain your interest and that of your audience. Discuss your talk with anyone who will listen to you: I have found my family and non-lawyer friends to be particularly helpful in teaching me how to clearly articulate legal concepts. It isn't necessary for you to have completed a publishable piece, but the more practice you have articulating your ideas and the more questions you have addressed *before* you present your job talk to a faculty, the better.

The final step in the application process is the on-campus interview. Some schools invite candidates to give job talks during their first call back—others have a several-stage process in which candidates first interview with individual faculty members or give a short presentation to the faculty hiring committee and then may be invited back to give a full-fledged job talk. Ask what will be expected of you—you really don't want to be surprised.

After your presentation to the faculty, the ball is in the law school's court. If you are fortunate enough to have more than one school interested in your application at this stage of the process, remember that the ordinary rules of courtesy still apply. If you receive an offer from one law school before you are scheduled to present your job talk to your "dream" school, it is probably wise to explain your situation to both schools in the hope of buying yourself some time on your first offer.

Good luck. And remember that law teaching really is the best job in town.

Addresses and Phone Numbers of Helpful Organizations

Association of American Law Schools
1201 Connecticut Avenue, N.W., Suite 800
Washington, D.C. 20036-2605
(202) 296-8851

Comments: Publishes the Faculty Appointments Register, the *Placement Bulletin*, and the Journal of Legal Education, and holds a Faculty Recruitment Conference.

Clinical Legal Education Association
6020 South University Avenue
Chicago, IL 60637-2786
(312) 702-9611

Comments: Publishes a listing of clinical job openings.

Hispanic National Bar Association
1700 K Street, N.W., Suite 1005
Washington, D.C. 20006
(202) 293-1507
hnba@aol.com

Comments: Holds a workshop in September for law students and lawyers interested in going into academia.

The Institute for Law School Teaching
Gonzaga University School of Law
Box 3528
Spokane, WA 99220-3528
(509) 328-4220 ext. 3740
ilst@gulaw.gonzaga.edu

Contact: Paula Prather

Comments: Publishes *The Law Teacher*, a newsletter of helpful teaching tips and an annotated bibliography of current law teaching methods.

Becoming a Law Professor: A Program for Minority Lawyers and Law Students

St. Mary's University School of Law
One Camino Santa Maria
San Antonio, TX 78228-8603
(210) 431-2110

Contact: Professor Reynaldo Anaya Valencia

Comments: Holds day-long program designed to inform minority lawyers and law students in Texas about the law-teaching profession.

Articles About Applying for Law Teaching Jobs

Pat K. Chew, *Law and Your Economics: The Hidden Job Market and the Faculty Recruitment Process: The In-House Interview*, 10 ST. LOUIS U. PUB. L. REV. 247 (1991).

James E. Jones, Jr., LL.M. *Programs as a Route to Teaching: The Hastie Program at Wisconsin*, 10 ST. LOUIS U. PUB. L. REV. 257 (1991).

Don Zillman, et al., *Uncloaking Law School Hiring: A Recruit's Guide to the AALS Faculty Recruitment Conference*, 38 J. LEGAL EDUC. 345 (1988).

George C. Christie, *The Recruitment of Law Faculty*, 1987 DUKE L.J. 306 (1987).

Clark Byse, *Fifty Years of Legal Education*, 71 IOWA L. REV. 1063 (1986).

Richard Delgado, *How to Write a Law Review Article*, 20 U.S.F. L. REV. 445 (1986).

Elyce H. Zenoff & Jerome A. Barron, *So You Want to Be a Law Professor?*, 12 J.L. & EDUC. 379 (1983).

Jon W. Bruce & Michael I. Swygert, *The Law Faculty Hiring Process*, 18 HOUS. L. REV. 215 (1981).

*Articles on the Demographics of the
Law-Teaching Profession*

Valerie Fontaine, *Progress Report: Women and People of Color in Legal Education and the Legal Profession*, 6 HASTINGS WOMEN'S L.J. 27 (1995).

Deborah Jones Merritt, *Remarks, The Status of Women on Law School Faculties: Recent Trends in Hiring*, 1995 U. ILL. L. REV. 93 (1995).

Michael A. Olivas, *The Education of Latino Lawyers: An Essay on Crop Cultivation*, 14 CHICANO-LATINO L. REV. 117 (1994).

Richard A. White, *The Gender and Minority Composition of New Law Teachers and AALS Faculty Appointments Register Candidates*, 44 J. LEGAL EDUC. 424 (1994).

Deborah J. Merritt & Barbara F. Reskin, *The Double Minority: Empirical Evidence of a Double Standard in Law School Hiring of Minority Women*, 65 S. CAL. L. REV. 2299 (1992).

Robert J. Borthwick & Jordan R. Schau, *Gatekeepers of the Profession: An Empirical Study of the Nation's Law Professors*, 25 U. MICH. J.L. REF. 191 (1991).

Derrick Bell & Richard Delgado, *Minority Law Professors' Lives: The Bell-Delgado Survey*, 24 HARV. C.R.-C.L. L. REV. 349 (1989).

Richard H. Chused, *The Hiring and Retention of Minorities and Women on American Law School Faculties*, 137 U. PA. L. REV. 537 (1988).

Charles R. Lawrence, III, *Minority Hiring in AALS Law Schools: The Need for Voluntary Quotas*, 20 U.S.F. L. REV. 429 (1986).

Donna Fossum, *Law Professors: A Profile of the Teaching Branch of the Legal Profession*, 1980 AM. B. FOUND. RES. J. 501 (1980).

LAW TEACHING FELLOWSHIP PROGRAMS

Michele Baker Richardson *

A number of law schools have developed teaching fellowship programs which can be useful to someone who wants to pursue a career in academics. The programs differ in character, and some may be more helpful than others. The programs listed here are among the most desirable—they are tuition-free, and most even offer stipends. Accordingly, they are highly selective. Many of these programs offer fellows the opportunity to teach in a substantive area. All will expose participants to the legal academic environment and allow for participation in faculty development workshops and colloquia. Of greater importance, perhaps, is the opportunity to consider and develop one's own scholarship. Although the rigors of some programs are substantial, most allow fellows much more time and more support than they would have in the private sector to pursue work on scholarly interests. The association with an academic institution can also assist fellows in publishing their work. Further, a number of programs allow teaching fellows to pursue an advanced degree during their tenure as teaching fellows. Obtaining this advanced degree, particularly from a highly ranked institution, can be a significant benefit to graduates from less prestigious law schools. Fellows who choose to pursue advanced degrees may have opportunities to work with notable professors in their field who can later serve as references during their search for a tenure-track position.

An increasing number of fellowship programs have been developed at prestigious institutions which have the sole aim of allowing fellows to pursue academic writing in an effort to assist them in obtaining full-time, tenure-track positions. Some, but not all, of these programs are targeted towards groups that are underrepresented in legal academia. Almost all of these programs require fellows to obtain an advanced degree during their course of study. A number of these programs encourage fellows to develop and teach a substantive course.

When you are looking at these programs, it is important to inquire about the focus of the program, the participation of fellows in institutional activities, and the placement record of former fellows in tenure-track positions. It is also important to keep in mind that most institutions do not hire their fellows as full-time, tenure-track professors, although they may offer a great deal of assistance in obtaining such a position at another school.

* Assistant Professor, Chicago-Kent College of Law. B.A. 1985, Brown University; J.D. 1990, Yale Law School.

In summary, teaching fellowships can provide an excellent opportunity and a "leg up" to the individual who is interested in pursuing a career in law teaching, particularly in the competitive market that applicants now face. Be sure to do your research before selecting programs to apply to, and have your own agenda in mind when you begin work on your fellowship. The fellowship opportunity will ultimately be what you make of it.

Listing of Teaching Fellowship Programs

Georgetown University Law Center
Fellowship Program for Future Law Professors
600 New Jersey Avenue, N.W.
Washington, D.C. 20001-2075
(202) 662-9015

Contact: Lee Carol Cook, Director of Admissions

Deadline: February 1

Comments: Designed to increase the diversity of the law teaching profession and to bring underrepresented perspectives to the development of legal scholarship.

Georgetown University Law Center
Appellate Litigation Fellowship
111 F Street, N.W., Suite 123
Washington, D.C. 20001-2095
(202) 662-9555

Contact: Professor Steven H. Goldblatt, Director

Deadline: December 15

Comments: For LL.M. candidates interested in intensive and advanced training as litigators.

Georgetown University Law Center
Applied Legal Studies Fellowship
600 New Jersey Avenue, N.W.
Washington, D.C. 20001-2095
(202) 662-9565

Contact: Professor David A. Koplow and Professor Philip G. Schrag, Co-Directors

Deadline: December 1

Comments: Two-year clinical teaching fellowship. The Center focuses on political asylum and immigration cases.

Georgetown University Law Center
Criminal Justice and Juvenile Justice Clinics
E. Barrett Prettyman & Stuart Stiller Fellowships
111 F Street, N.W.
Washington, D.C. 20001-2095
(202) 662-9575
Contact: Professor John M. Copacino, Director
Deadline: December 1
Comments: Designed to provide instruction in trial advocacy
and practical experience representing clients in court.

Georgetown University Law Center
Federal Legislation Clinic Fellowship
111 F Street, N.W.
Washington, D.C. 20001-2095
(202) 662-9595
Contact: Professor Chai R. Feldblum, Director
Deadline: December 1
Comments: Focuses on the study of the federal legislative
process.

Georgetown University Law Center
Harrison Institute for Public Law Fellowship
111 F Street, N.W.
Washington, D.C. 20001-2095
(202) 662-9603
Contact: Professor Robert Stumberg, Clinical Director
Deadline: February 1
Comments: Two-year fellowship at the Harrison Institute.

Georgetown University Law Center
Institute for Public Representation Fellowship
111 F Street, N.W.
Washington, D.C. 20001-2095
(202) 662-9535
Contact: Professor Douglas L. Parker, Director
Deadline: November 15
Comments: The Institute provides legal representation to
underrepresented groups and interests.

Pension Benefit Guaranty Corporation Fellowship Program**600 New Jersey Avenue, N.W.****Washington, D.C. 20001-2075****(202) 662-9015****Contact: Lee Carol Cook****Deadline: June 1****Comments: Fellowship recipients work as full-time, entry-level attorneys in the Office of the General Counsel of the PBGC.****Georgetown University Law Center****Law Related Education Fellowship (Street Law)****111 F Street, N.W.****Washington, D.C. 20001-2095****(202) 662-9615****Contact: Professor Richard L. Roe, Director****Deadline: December 18****Comments: Designed for those interested in developing research, teaching, and supervisory abilities in a law school clinical and public interest setting.****Georgetown University Law Center****Women's Law & Public Policy Fellowship****111 F Street, N.W.****Washington, D.C. 20001-2095****(202) 662-9650****Contact: Professor Judy Wolf, Director****Deadline: November 1****Comments: One-year fellowship for recent law graduates interested in working on women's rights issues in Washington, D.C.****Georgetown University Law Center****Committee on State Taxation Fellowship****600 New Jersey Avenue, N.W.****Washington, D.C. 20001-2075****(202) 662-9015****Contact: Lee Carol Cook, Director of Admissions****Deadline: May 1****Comments: Designed for those interested in state and local taxation.**

Harvard Law School
Charles Hamilton Houston Fellowship for Law Teaching
Griswold 200
Cambridge, MA 02138
(617) 495-4620
Contact: Vice-Dean David Smith
Deadline: February 15
Comments: Designed to train prospective law teachers who will enhance the diversity of the profession. Minority candidates are especially encouraged.

Harvard Law School
Reginald F. Lewis Fellowship for Law Teaching
Griswold 200
Cambridge, MA 02138
(617) 495-4620
Contact: Vice-Dean David Smith
Deadline: February 15
Comments: Designed to train prospective law teachers who will enhance the diversity of the profession. Minority candidates are especially encouraged.

University of Iowa College of Law
Faculty Fellows Program
Iowa City, IA 42242
(319) 335-9755
Contact: Professor Patricia Cain
Comments: Not offered in the 1996-97 academic year.

Stanford Law School
Aspiring Law Teachers Fellowship Program
Stanford, CA 94305-8610
(415) 723-2465
Contact: Admissions Office
Comments: Not offered in the 1996-97 academic year.

Temple University School of Law
Office of Graduate Programs, Room 710
Graduate Teaching Fellowship Program
1719 North Broad Street
Philadelphia, PA 19122-6098
(215) 204-8982
INTL_LAW@vm.temple.edu

Contact: Adelaide Ferguson, Assistant Dean for Graduate and International Programs
Deadline: January 15
Comments: Two-year fellowship leading to an LL.M.

University of South Dakota School of Law
Indian Law Fellowship
414 East Clark
Vermillion, SD 57069
(605) 677-5361

Contact: Professor Frank R. Pommersheim
Deadline: May 15
Comments: Six-month fellowship for those who have experience in Indian law and who intend to continue working in that field.

Tulane University Law School
Environmental Law Fellowship
6329 Freret Street
Weinmann Hall, Suite 203
New Orleans, LA 70118
(504) 865-5789
admissions@law.tulane.edu

Contact: Professor Robert Kuehn
Deadline: May 1
Comments: Fellowship leading to an LL.M. in Energy & Environment.

Tulane University Law School
Maritime Law Fellowship Program
Weinmann Hall, Suite 203
New Orleans, LA 70118
(504) 865-5947
admissions@law.tulane.edu

Contact: Professor Robert Force, Director
Deadline: May 1
Comments: Fellowship leading to an LL.M. in Admiralty.

University of Wisconsin Law School
William H. Hastie Fellowship Program
975 Bascom Mall
Madison, WI 53706-1399
(608) 262-9120
Contact: Dean Robert Corrales
Deadline: January 15

Comments: Two-year LL.M. program designed to increase racial and ethnic diversity in the law teaching profession. The first year of the program focuses on writing, and the second year focuses on teaching.

Yale Law School

Robert M. Cover Fellowship in Public Interest Law

P.O. Box 208215

New Haven, CT 06520-8215

(203) 432-7646

Contact: Professor Jay Pottenger

Deadline: March 1 (flexible)

Comments: One-year program designed to train prospective clinical law professors.

GRADUATE DEGREE PROGRAMS

Gabriel J. Chin

An LL.M. program can offer practical and intellectual benefits that can help you obtain a teaching position and ease the transition from practice to teaching. Earning an additional degree will provide a useful credential, especially if it is from a more prestigious school. Some statistics: a search of the on-line version of the 1994 Directory of Law Teachers shows that 1580 law professors hold LL.M. degrees. Of those, 293 are from NYU, 290 from Harvard, 185 from Yale, 142 from Columbia, 111 from Georgetown, 75 from Michigan, and 37 each from Virginia and Temple. These nine schools account for three-quarters of the LL.M.'s who hold teaching jobs.

Whatever school it is from, an LL.M. can also make your application for a teaching position more credible. Practicing lawyers are often suspected of looking for teaching jobs primarily as a means of escaping the rat race. Because LL.M. candidates spend time and money on this academic pursuit, they may distinguish themselves from applicants of otherwise similar qualifications. An additional year of legal study will also give you time to write an article or two; writing and publishing are critical not only for tenure purposes, but increasingly, for getting your first job as a law teacher. Spending a year on campus will also give you an opportunity to become reacquainted with legal academia. Unless your J.D. is very new, during your LL.M. year, you may find yourself exposed to recent scholarly developments for the first time. An LL.M. program can give you fresh references familiar with your current abilities.

Look for a program that is aimed at producing law professors and has a successful placement history. Some LL.M. programs (even well known ones) are treated as poor stepchildren of the J.D. program or as a moneymaker for the school. This may be somewhat unavoidable because the J.D. program is the central mission of all law schools, but investigate the LL.M.s' access to faculty, the faculty's attitude towards them, and financial aid for LL.M.'s, which are indicators of how you will be received. Most LL.M. programs last only one year. Because of the timing of the AALS hiring meeting, you should try, if at all possible, to find something to do for the year after your LL.M. You do not want to interview for a job during the first semester of your LL.M. program. A two-year LL.M. program, a clerkship, a J.S.D., or a visiting scholar program for the second year might do the trick.

If you can afford it, you also might consider a visiting scholar program. These programs go by various names, but some law schools will make their resources available to researchers for a

semester or a school year. These spots usually go to foreign professors or teachers from U.S. law schools who are on leave or a research sabbatical—but the application of an energetic practicing lawyer considering academia might be considered. Usually, visitors are required to pay for the privilege. What you get in exchange is access to large libraries, colloquia, and, depending on your charm, professors who might read your work or otherwise offer advice. If you want to write a paper, and can afford it, a visiting scholar program could be worth considering.

Graduate Degrees in Law

Master of Laws (LL.M.)
Master of Comparative Law (M.Comp.L. or M.C.L.)
Master of Comparative Jurisprudence (M.C.J.)
Doctor of the Science of Law (J.S.D.)
Doctor of Juridical Science (S.J.D.)
Doctor of Philosophy (Ph.D.)
Doctor of Comparative Law (D.C.L.)

Listing of Selected Graduate Programs

University of California at Berkeley School of Law
372 Boalt Hall
Berkeley, CA 94720-7200
(510) 642-1476
Graduate Programs Offered: LL.M., J.S.D. and M.A. or Ph.D. in
Jurisprudence and Social Policy.

University of California at Los Angeles School of Law
Graduate LL.M. Program
405 Hilgard Avenue
Los Angeles, CA 90095-1476
(310) 825-3628
Graduate Programs Offered: LL.M.

University of Chicago Law School
Graduate Studies Office
1111 East 60th Street
Chicago, IL 60635
(312) 702-9484
Graduate Programs Offered: LL.M., M.C.L., J.S.D., D.C.L.

Columbia University School of Law
Graduate Legal Studies Program
435 West 116th Street
New York, NY 10027
(212) 845-2670
JAK@Lawmail.Law.Columbia.edu
Graduate Programs Offered: LL.M., J.S.D.

Cornell University Law School
Myron Taylor Hall
Ithaca, NY 14853
(607) 255-3626
Graduate Programs Offered: LL.M., J.S.D., Visiting scholar.

Duke University School of Law
3101 Petty Road, Suite 207
Durham, NC 27707-7105
(919) 613-7000
Graduate Programs Offered: LL.M., S.J.D.

George Washington University
Graduate Programs Office
National Law Center
2000 H Street, N.W.
Washington, D.C. 20502
(202) 994-4500
Graduate Programs Offered: S.J.D. (International and Comparative Law). George Washington also offers the Shaw Graduate Fellowships in Administrative Law.

Georgetown University Law Center
600 New Jersey Avenue, N.W.
Washington, D.C. 20001
(202) 662-9010
Graduate Programs Offered: LL.M. (International and Comparative Law, Labor and Employment Law, Securities and Financial Regulation, Taxation), S.J.D.

Harvard Law School
Graduate Program
LILC 208
Cambridge, MA 02138
(617) 495-3109
Graduate Programs Offered: LL.M., S.J.D., Visiting scholar.

University of Illinois College of Law
504 East Pennsylvania Avenue
Champaign, IL 61820
(217) 244-6415
Graduate Programs Offered: LL.M., M.C.L.

University of Iowa
Graduate Program in International and Comparative Law
Office of Admissions
University of Iowa College of Law
Iowa City, IA 52242
(319) 335-9071
Graduate Programs Offered: LL.M., Visiting scholar.

University of Michigan Law School
Graduate Office
307 Hutchins Hall
Ann Arbor, MI 48109-1215
(313) 764-0535
Graduate Programs Offered: LL.M., M.C.L., S.J.D., Research scholar.

New York University School of Law
Vanderbilt Hall, Room 409
40 Washington Square South
New York, NY 10012
(212) 998-6060
Graduate Programs Offered: LL.M. (General Studies, Corporations, Taxation, International Taxation, Trade Regulation, International Legal Studies), M.C.J., J.S.D.

Northwestern University School of Law
Graduate Studies Program
357 East Chicago Avenue
Chicago, IL 60611
(312) 503-8465
Graduate Programs Offered: LL.M., S.J.D.

University of Pennsylvania Law School
3400 Chestnut Street
Philadelphia, PA 19104
(215) 898-7400
Admissions@OYE2.Law.Upenn.edu
Graduate Programs Offered: LL.M., S.J.D.

Stanford University Law School
Stanford, CA 94305-8610
(416) 723-4985
Graduate Programs Offered: J.S.D.

Temple University School of Law
Office of Graduate Legal Studies
1719 North Broad Street
Philadelphia, PA 19122
(215) 204-8982
Graduate Programs Offered: LL.M. (Tax and Trial Advocacy).

The University of Texas School of Law
Post Office Box 14910
Austin, TX 78714-9105
(512) 471-3207
Graduate Programs Offered: LL.M.

Tulane University Law School
Graduate Studies Program
Weinmann Hall, Suite 203
New Orleans, LA 70118-5670
(504) 865-5930
Graduate Programs Offered: LL.M., M.C.L., S.J.D.

University of Virginia School of Law
Graduate Studies Office
580 Massie Road
Charlottesville, VA 22903-1789
(804) 924-3154
Graduate Programs Offered: LL.M., S.J.D., Scholar-in-Residence.

University of Washington School of Law
Office of Graduate Admissions
1100 N.E. Campus Parkway
Seattle, WA 98105-6617
(206) 543-2283
Gradlaw@U.Washington.edu
Graduate Programs Offered: LL.M. (Asian Law, Law & Marine Affairs, International Environmental Law and Sustainable International Development), Ph.D. (Asian Law).

University of Wisconsin Law School
Committee on Graduate Programs
975 Bascom Mall
Madison, WI 53706
(608) 262-5914
Graduate Programs Offered: LL.M., S.J.D.

Yale Law School
Graduate Program Office
P.O. Box 208215
New Haven, CT 06520
(203) 432-7362
Graduate Programs Offered: LL.M., J.S.D., Visiting scholar.

LEGAL METHODS TEACHING PROGRAMS

*Verna C. Sanchez**

This area of law goes by a number of names: legal writing, legal methods, lawyering skills, legal process, etc. It is difficult to make absolute statements about this course, as the design and structure vary so much among law schools. With that caveat, however, the general parameters of this required first-year course are that students are taught the basics of legal analysis—how to read and think about the law, how to do legal research, and how to do legal writing.

Teaching legal methods is one way to gain entry into the legal academy. Many people start out teaching in this area and move on to other areas of law when they are able. However, there is also a large cadre of people throughout the country who are interested in and committed to staying in this area of teaching. This course attempts to lay the foundations for, and then build on the basic and necessary skills any law student or lawyer needs for, the practice of law: that is, how to read and think about the law and legal problems; how to find the answers to those problems; how to evaluate the law and to craft in an articulate, coherent, logical, and orderly way the answers to those problems; and how to convey those answers to others. It is a labor-intensive course, as there are typically a number of writing assignments that are commented upon as well as graded throughout the semester or year—in many schools this is a two semester course. The assignments typically include one or two memos—often a closed research memo and an open research one. It also includes one or more research assignments and may also include a persuasive document, such as an appellate brief. One of the great advantages to teaching this course is that you have the opportunity to get to know your students and their work, as the course is only taught effectively in small sections. This experience is quite different from any other first-year course and from many upper level courses as well.

Anyone wishing to enter this area of the law should be aware that, despite the tremendous value and importance of what is taught in this course, in many law schools there is a perception that this is a “soft” area of teaching, i.e., it does not require any skill to teach it. Consequently, the status of the course and the people who teach it can vary widely, from tenure-track professors to adjuncts and third-year law students. Some schools have a limited two- or three-year track for people teaching in this area (for example, New York

* Associate Professor, Roger Williams University School of Law. B.A. 1977, Clark University; J.D. 1981, Northeastern University School of Law.

University's Lawyering Program) that affords an excellent opportunity to enter academia, get a few years of teaching experience, and possibly write and publish an article. Other schools have established programs, with a Director of the Legal Methods Program (for example, University of Arkansas or Roger Williams University School of Law). Depending upon your areas of teaching interest, look carefully at the structure and status of any legal methods program for which you apply.

Listing of Legal Methods Teaching Programs

University of Arkansas School of Law
Robert A. Lesar Law Center
Legal Research and Writing Program
Fayetteville, AR 72701
(501) 575-3102
Contact: Professor Jan M. Levine
Deadline: February
Position: Instructor

Boston University School of Law
First Year Writing Program
765 Commonwealth Avenue
Boston, MA 02215
(617) 353-3107
Contact: Professor Robert Volk, Director
Deadline: Early April
Position: Instructor

Brooklyn Law School
Legal Writing Program
250 Joralemon Street
Brooklyn, NY 11201
(718) 780-7921
Contact: Professor Marilyn Walter, Director of the Writing Program
Deadline: Early May for adjuncts, early February for full time instructors.
Position: Writing Advisor

Catholic University of America Columbus School of Law
Lawyering Skills Program
Office of the Dean
Washington, D.C. 20064
(202) 319-5436
Contact: John F. Lord, Assistant Dean for Academic Affairs
Deadline: January
Position: Instructor

Chicago-Kent College of Law
Legal Research and Writing Program
565 West Adams Street
Chicago, IL 60661
(312) 906-5345
Contact: Professor Molly Warner Lien
Deadline: Early October
Position: Instructor

University of Chicago Law School
Bigelow Fellowship
1111 East 60th Street
Chicago, IL 60635
(312) 702-9567
Contact: Professor Mark Ramseyer
Deadline: January
Position: Bigelow Fellow

University of Colorado School of Law
Legal Research and Writing Program
Campus Box 401
Boulder, CO 80309-0401
(303) 492-7420
Contact: Professor J. Dennis Hynes
Deadline: April 1
Position: Instructor

Columbia University School of Law
Associate in Law Program
435 116th Street
New York, NY 10027
(212) 854-2655
Contact: Professor Peter L. Strauss
Deadline: January 15
Position: Teaching Associate

George Washington University National Law Center
Legal Research & Writing Program
2000 H Street, N.W.
Washington, D.C. 20052
(202) 994-6288
Contact: Amy Sloan
Deadline: Rolling admissions
Position: Adjunct Instructor

Georgetown University Law Center
Legal Research & Writing Program
600 New Jersey Avenue
Room 540
Washington, D.C. 20001
(202) 662-9010
Contact: Professor Jill Ramsfield
Deadline: End of November
Position: Instructor

Howard University Law School
Legal Research and Writing Program
2900 Van Ness Street, N.W.
Washington, D.C. 20008
(202) 806-8008
Contact: Professor Steven D. Jamar, Director
Deadline: September
Position: Legal Writing Fellow

University of Illinois at Urbana-Champaign College of Law
Legal Research & Writing Program
504 East Pennsylvania Avenue
Champaign, IL 61820
(217) 333-3232
Contact: Steve Epstein
Deadline: January
Position: Instructor of Law

Mercer University School of Law
Legal Writing and Analysis Program
1021 Georgia Avenue
Macon, GA 31201-6709
(912) 752-2611
Contact: Professor Linda Edwards
Deadline: March
Position: Assistant Professor of Legal Writing & Analysis

Northwestern University School of Law
Legal Research and Writing Program
357 East Chicago Avenue
Chicago, IL 60611
(312) 503-8454
Contact: Professor Helene S. Shapo, Director
Deadline: Rolling admissions
Position: Instructor

University of the Pacific McGeorge School of Law
Legal Writing Program
3200 Fifth Avenue
Sacramento, CA 95187
(916) 739-7191
Contact: Kathleen M. Kelly, Associate Dean
Deadline: March 19
Position: Legal Writing Instructor

St. Thomas University School of Law
Legal Writing Program
16400 N.W. 32 Avenue
Miami, FL 33054
(305) 623-2310
Contact: Professor Peter B. Bayer, Director Legal Writing
Deadline: none
Position: Legal Writing Faculty

University of San Diego School of Law
Lawyering Skills Program
Alcala Park
San Diego, CA 92110
(619) 260-4761
Contact: Deirdre S. Alfred, Director
Deadline: January
Position: Lawyering Skills Instructor

Seattle University School of Law
Legal Writing Program
950 Broadway Plaza
Tacoma, WA 98402
(206) 591-2273
Contact: Laurel Oates, Director
Deadline: March
Position: Legal Writing Instructor

Stanford Law School
Legal Research and Writing Program
Stanford, CA 94305-8610
(415) 723-4985
Contact: Faye Deal
Deadline: December
Position: Teaching Fellowship

Suffolk Law School
Legal Practice Skills Program
41 Temple Street
Boston, MA 02114-4280
(617) 573-8197
Contact: Dr. Martha Siegel, Director
Deadline: January 15
Position: Instructor

Temple University School of Law
Teaching Fellowship Program
1719 North Broad Street
Philadelphia, PA 19122
(215) 204-7756
Contact: James Shellenberger, Assistant Dean for Graduate Programs
Deadline: January 15
Position: Legal Writing Instructor

University of Toledo College of Law
Legal Research and Writing Instructor Program
2801 West Bancroft
Toledo, OH 43606-3390
(419) 530-4164
Contact: Chair, Faculty Appointments Committee
Deadline: January 15
Position: Legal Research & Writing Instructor

Vermont Law School
Legal Writing Program
P.O. Box 96
South Royalton, VT 05068
(802) 763-8303
Contact: Cam MacRae
Deadline: February 1
Position: Assistant Professor of Legal Research and Writing

Western New England College School of Law
Lawyering Process Program
1215 Wilbraham Road
Springfield, MA 01119-2689
(413) 782-3111
Contact: Professor Chris Iijima
Deadline: March
Position: Lawyering Process Instructor

ON BECOMING A LAW PROFESSOR

*Terrance Sandalow**

Thirty-five years ago, when I first joined a law faculty, only one job description existed for law professors, that for the conventional classroom teacher. In the years since, the opportunities available to lawyers interested in teaching have become a bit more varied. In addition to conventional classroom teachers, a growing number of law teachers are employed by law schools to provide what I shall somewhat misleadingly call clinical instruction.¹ Although these comments are addressed mainly to men and women interested in classroom teaching, a few lines about clinical teaching may be in order because the initial question for anyone considering an academic career is which of these paths—conventional or clinical—to pursue.

The job description of the clinical teacher differs from that of conventional faculty member in a variety of ways. Here, I can touch upon only a few. Conventional law teachers typically spend only four to six hours weekly in the classroom, though, of course, they may devote many more hours to class preparation, grading, and meetings with students. On average, nonetheless, I suspect that few classroom teachers, other than beginners, devote much more than twenty hours weekly to activities directly related to teaching. The remainder of their working hours is mainly devoted to scholarly and professional activities. Clinical teachers, in contrast, are likely to spend most of their time on activities immediately related to teaching, much of it in direct contact with students. Because their teaching responsibilities are so much heavier than those of traditional teachers, they have less time than the latter for scholarly and professional activities and the demands upon them to engage in such activities are correspondingly lighter.

The differing job descriptions of clinical and conventional law teachers underscore the importance of the admonition to "know thyself." The two modes of teaching call upon different talents and are likely to vary in attractiveness to individuals of differing personalities. Accordingly, prospective faculty members should consider carefully the kinds of activities that will bring them the deepest satis-

* Edson R. Sunderland Professor of Law, University of Michigan Law School. B.A. 1954, University of Chicago; J.D. 1957, University of Chicago Law School. Professor Sandalow served as dean of the University of Michigan Law School from 1978 to 1987 and has often been a member of its Personnel Committee, several times as chairman. *Ed.*

1. The label is misleading because I mean it to apply not only to instruction involving the representation of clients, but also to instruction that employs simulation or that is directed to developing the writing skills of law students.

factions and to assess as accurately as possible their professional strengths and weaknesses. Thus, conventional law classes are generally quite large, a setting likely to appeal to those who enjoy performing before large audiences. Just because of their size, however, they afford far less opportunity than clinical classes to engage in one-on-one teaching and to enjoy the personal relationships such teaching permits. So, too, differing expectations concerning scholarly and professional activity suggest that different tastes and talents are likely to lead to enjoyment of and success in the two types of faculty appointments. In the main, conventional law teachers lead a solitary existence. For most, classes, committee meetings, and appointments with students occupy far less time than class preparation, grading, research, writing, and (hardest of all) thinking—all solitary activities. Some people welcome the opportunity solitude provides to dwell in the realm of ideas, to master a field, and to contribute to its development. They are comfortable with and have the capacity for systematic and abstract thought. They enjoy the process of writing in much the same way that a cabinet maker enjoys the craft of wood-working. For others, solitude means loneliness. They prefer cooperative activities and frequent interaction with others. Intellectual activity for its own sake brings less pleasure than the knowledge that their talents have assisted a client or the ability to observe measurable progress in the development of a student's skills. They work best in addressing concrete problems, not abstractions.²

A good deal more might be written about the differences between clinical and conventional law teaching, but perhaps enough has been said to persuade readers of two points: first, the importance of acquiring as much information as possible about the job descriptions for each, and second, the importance of a candid and careful assessment of one's interests and talents before deciding which path to pursue. In any event, I shall assume that readers who proceed beyond this point have undertaken the recommended inquiries and assessments and have concluded that they are interested in and have

2. Emphasis upon the differences between the routines of clinical and conventional teachers may overstate the solitary features of the latter's schedule. For many classroom teachers, my description is entirely accurate, but for those who are so inclined, many opportunities exist to devote time to less solitary activities. Law professors are often invited to consult with law firms and governmental agencies; to participate in law reform activities, bar committees, and civic organizations; and to attend conferences or give speeches. Such activities—say, preparing a brief, a conference paper, or a memo advising on a complicated tax question or law reform proposal—are in some respects similar to undertaking a scholarly project, but they also offer opportunities for working with others, opportunities which many law professors enjoy. Schools differ in the extent to which such professional activities are recognized and rewarded. When considering an offer, therefore, the fit between one's inclinations and the faculty's aspirations ought to be a desideratum.

the talents appropriate to pursue a conventional academic career. I do so not because I believe that is in some sense the “right” or “better” choice, but because it is the job I know best and because my experience is largely confined to participating in faculty decisions about whether to hire people interested in such a career.

The path to a conventional academic career begins in law school.³ Most law teachers have been very successful law students, meaning, primarily, that they have earned high grades. That is not to say that grades are the only factor faculties consider in deciding which candidates to hire. Were grades all that mattered, faculties might mechanically select those applicants with the highest grades (appropriately discounted, of course, for the quality of their schools and the degree to which the schools’ grading curves have been inflated). But schools regularly hire people whose grades are not as high as those of others whom they reject, partly because grades do not measure all of the qualities necessary to a successful academic career and partly because they are not the only evidence of even the qualities they do measure. Still, although law schools do not regard high grades as sufficient to justify an offer, they do treat grades as an important indicator of whether an applicant is likely to be successful as a law teacher. Grades provide information about whether a candidate has the intellectual qualities necessary to success as a teacher and scholar, qualities such as analytic capacity, the ability to perceive the complexity of issues, quickness, disciplined imagination, the ability to develop a coherent argument, knowledge of a subject matter, and the ability to write well. Since very few, if any, law students earn high grades without considerable effort, grades also offer a measure of a candidate’s capacity for hard work, a quality indispensable to a successful academic career.⁴

Although a strong academic record is almost always necessary to secure an entry-level position, it is not likely to be sufficient. When considering candidates, faculties also look closely at whether

3. I suppose I might as accurately have written that the path begins in college—or even at birth. Development of the personality traits and of the intellectual interests and capacities prerequisite to becoming a successful law teacher does not begin on the first day of law school. Such characteristics are the product of an individual’s entire life. Still, law school seems an appropriate point at which to begin a discussion of how to secure a position as a law teacher.

4. During the years I was dean at Michigan, I received a number of letters from lawyers who wrote that they were interested in joining the faculty because they wanted to “ease up,” “have more leisure time,” or “escape from the pressure of practice.” Needless to say, consideration of their candidacy proceeded no further than a reading of the letters. Although exceptions undoubtedly exist at most, if not all, law schools, most faculty members, and surely all successful ones, put in long hours, say 50 to 60 hours a week on average and at times more. And although the stresses of an academic career are not precisely the same as those experienced by practitioners, they are merely different, not less.

they have written and the quality of their written work. Students who think they may wish to teach are, therefore, wise to take whatever opportunities to write that their law school offers, by taking seminars that have a substantial writing requirement, by seeking out a faculty member to sponsor an independent research project, or by publishing a note in one of the school's journals. The importance of taking advantage of such opportunities cannot be overstated: first, because they provide a way to enhance research and writing skills which are indispensable to a successful academic career, and second, because the writing that candidates have done during law school provides important evidence of their capacity for success as teachers and scholars. A record of publication or other written work that demonstrates a capacity for impressive scholarship can go far in compensating for a less-than-outstanding grade point average.

Finally, and for somewhat similar reasons, law students who think they may be interested in an academic career would also do well to participate actively in class discussion. Active participation is a means by which to improve rhetorical skills, to test and refine ideas by opening them to criticism by others in the class, and to develop confidence in one's abilities. Equally important, at least for purposes of getting a job, active class participation is a means by which to develop a reputation. When considering people for entry-level positions, law schools seek and generally give weight to the views of faculty members at a candidate's law school. The latter will have had the best opportunity to observe the candidate for an extended period and thus to be capable of an informed judgment about his likelihood of succeeding in an academic career. They have been able to observe, for example, whether an individual treats students who have different views with respect and whether he has the ability to generate interesting ideas and to articulate those ideas clearly. But faculty members are likely to be able to make such judgments only about students they have come to know because of the latter's participation in class discussion.

What I have written thus far is, I think, relatively uncontroversial among experienced law teachers.⁵ I want to turn now to two issues about which members disagree, both involving questions about what aspiring law teachers should do after leaving law school. An important question for law schools—and thus for aspiring law teachers—is the importance *vel non* of experience in practice. Many faculty members regard such experience as extremely important, if not indispensable, and express reluctance to appoint people who lack it. Some go even further, arguing that at least for people hired to teach certain highly specialized subjects—say, tax or labor law—

5. Among law teachers, hardly anything is completely uncontroversial.

practice experience in the particular field is crucial. Proponents of these views generally stress the need to have more than theoretical knowledge about the ways of the law, the importance of familiarity with the careers upon which most students will be embarking, and the belief of many students that they will gain more from faculty members who have had practical experience.

Although much can be said in support of these views, my own are somewhat different. I do not believe that experience in practice is necessary to a successful career as either a teacher or scholar, although I do think that many, perhaps most, aspiring law teachers would benefit from several years away from academia before embarking upon an academic career. Even on that point, I think that an inflexible position, insisting that experience "in the world" is a prerequisite for an academic career, cannot be justified. I am confident that I could assemble one of the nation's most distinguished faculties—distinguished by the excellence of both its teaching and its scholarly and professional achievements—from the ranks of law teachers who have gone straight from law school to an academic position or who have done so with no experience other than a judicial clerkship.

Whether or not a person interested in teaching should spend a few years away from academia before seeking a position depends, in my view, upon the individual. For many, the experience gained may be useful in developing further skills whose development began during their schooling and in building confidence in those skills. It may heighten awareness of the importance of circumstances and facts and thus enhance the capacity for wise judgment. The experience of meeting deadlines, which are more likely to be strictly enforced outside academia than within, is helpful in developing self-discipline, a character trait as important in academic life as it is elsewhere. For some, the mere passing of years may bring added—and needed—maturity.

This list of benefits that may be gained by several years away from academic life, which might easily be lengthened, leads me to two conclusions that I have already suggested. First, though many and perhaps most law school graduates would gain from the experience, it is not necessary for everyone. Some individuals may already have developed the intellectual and personal qualities I have mentioned, perhaps because they have spent some years working between college and law school, perhaps because they are among the fortunate few who appear just "naturally" to have those qualities. Second, for those who think they would benefit from such experience, law practice provides one venue in which it may be gained, but not the only one. Many of the qualities might be equally well developed in a range of other types of jobs, as an aide to a legislative or

executive official, for example, or as a staff member of a legislative committee or public interest organization that seeks to influence governmental policy.⁶

Faculty members who regard experience in practice as an important qualification tend, in my view, to give too little weight to the intellectual predispositions that shape the way an individual will approach teaching and to the learning that occurs in the course of a teaching career. Faculty members interested in practice will learn about it and bring what they have learned to their classes whether or not they have themselves practiced. Those whose concerns are highly theoretical may think the lessons they learned in practice of insufficient importance to impart to students. A personal experience may help to make the point. Some years ago, in response to a complaint by a group of students that too many members of my faculty lacked experience in practice, I listed ten faculty members and asked the students to identify those who had and those who had not practiced. The list contained five in each category. The students were wrong in every instance. Nor, when I asked them to identify which they regarded as the better teachers, did their responses correlate with practice experience.

Another question I have often been asked by law students interested in an academic career is whether they should publish an article or two before applying for a teaching position. Thirty-five years ago, I would unhesitatingly have responded that a post-graduation record of publication was not important for one seeking a faculty appointment. Although it continues to be true that many law teachers are hired each year with no publication other than a student note, and sometimes even without that, the answer to that question is not as easy as it once was. The increased scholarly aspirations of law schools and the growing number of Ph.D.'s from other disciplines on their faculties have led some schools, perhaps especially those of national reputation, to favor candidates who come to teaching with an intellectual agenda. Publication in the years after law school helps to demonstrate the existence of such an agenda, as well as providing evidence of a candidate's ability to pursue it successfully.

A decision to write one or two articles before applying for a faculty position is not without risks, however. The demands of an

6. A reader might well conclude that, even if I am right that experience in law practice is not essential for a law teacher, the contrary belief of some faculty members suggests that a few years in practice might nonetheless be useful, if for no other reason than to pick up a few votes when a faculty is called upon to make a decision. Although I would not deny that a candidate's lack of experience in practice has at times led faculties to decide against an offer, the substantial number of law teachers who have not practiced does demonstrate that practice experience is far from essential to landing a teaching position.

active professional career make it difficult, and perhaps impossible, to find time for writing, particularly writing of the quality that will be helpful in impressing a faculty. Even aside from time demands, I think it is harder to produce good scholarship while in practice or another non-academic position than it is to do so in an academic setting. First, teaching and scholarship are synergistic. Ideas can be tested and refined in the classroom. Equally important, teaching in a field provides a breadth of perspective that is extremely useful in producing scholarly work of high quality. In preparing a course, teachers are forced to consider the consistency of approaches taken by the law in treatment of different issues and have increased opportunities to consider whether the treatment of some issues in a field suggests approaches that may be advanced as a way of dealing with others. Second, law students have typically had far fewer opportunities than Ph.D. candidates to work closely with faculty members and, in doing so, to gain a well-developed understanding of the characteristics of good scholarship. Although law school is not devoid of such opportunities, many law graduates gain that understanding only after joining a law faculty, in the course of faculty meetings, in discussion with other faculty members, and by immersion in scholarly literature while preparing for class or doing research.

The risks of attempting to publish after graduation, but before applying for a teaching position, should be obvious. Applications may be postponed, perhaps indefinitely, as one attempts to find time to write while meeting the demands of a busy professional life. And even if one succeeds in finding time, the product may not be entirely successful when judged by the standards law faculties are accustomed to applying. It remains true, nonetheless, that a successful publication may significantly improve a candidate's success in the job market. So while I think there are risks associated with the effort, I do not wish to discourage anyone inclined to undertake it. For those who are so inclined, I have a few suggestions. First, do not attempt to write on a topic unless you are genuinely interested in it and think you have something interesting to say about it. A mechanical discussion of an issue, even an interesting issue, is unlikely to impress a faculty. Second, avoid on the one hand the Scylla of undertaking an overly ambitious project and, on the other, the Charybdis of writing an article that is too narrow or too technical to be interesting. No faculty expects a candidate for an entry-level position to have developed a spanking new theory of contract or to have resolved the tensions between judicial review and politically accountable government. Nor is it likely that someone at that stage of a career will successfully address such large subjects. On the other hand, faculties are unlikely to be impressed by an article that lacks

any general ideas, say, one that lists the pitfalls to be avoided in drafting a bankruptcy petition or that undertakes merely to describe a line of decisions.⁷ Third, if you think you have identified a topic that avoids these pitfalls, discuss it with one or more faculty members at a fairly early stage of your work. Nearly all faculty members are receptive to being approached by former students to discuss such ideas and are probably in a position to tell you whether your ideas have already been developed in the literature, to point out whether your topic is overly ambitious or insufficiently so, and to offer suggestions for research. Finally, once you have completed a draft that you think is in pretty good shape, ask some faculty members and friends to read and comment upon it. Subsequent drafts, and the final product, are almost certain to be improved as you go about addressing the comments you receive, even comments by those who know far less about the subject than you do.

Thus far, I have been concerned with questions about what aspiring law teachers can do before entering the market to increase their chances of securing an attractive position. The time has come to shift attention to the process by which one enters the market and, hopefully, obtains a position. In recent years, more than half of all new appointees to law faculties have been men and women who have listed themselves in the Faculty Appointments Register compiled each year by the Association of American Law Schools (AALS).⁸ The Register has become, thus, the most important vehicle for entering the market, and anyone interested in law teaching should make use of it. Schools usually begin the process of hiring in the fall of the year prior to the academic year an appointment is to begin. Accordingly, those who wish to begin teaching in, say, the fall term of 1997 should register with the AALS during the summer or early fall of 1996. To do so, one obtains from the AALS a registration form that seeks to elicit information about candidates that is of interest to law schools, including such matters as schools attended, dates of graduation, class rank (if available), prior publications, academic honors received, relevant work experience, subject matter interests, geographic limitations or preferences, and references. The AALS distributes these forms to its members, now nearly all accredited law schools, in batches several times during the fall term. When they reach the schools, members of each school's appointments

7. Some caution is necessary at this point. A gifted scholar may be able to address almost any subject in an interesting way, perhaps even my examples. There is a large difference, illustratively, between an article that merely describes a line of decisions in the terms employed by the courts and one that discerns a heretofore unrecognized pattern among such decisions, especially if the pattern has interesting implications.

8. ASSOCIATION OF AM. LAW SCHOOLS, STATISTICAL REPORT ON LAW SCHOOL FACULTY AND CANDIDATES FOR LAW FACULTY POSITIONS 21-22 tbl.8E (1995-96).

committee examine the forms to identify candidates in whom they are potentially interested. A member of the committee is, at this point, likely to contact the references of such candidates and, perhaps, other faculty members at the latter's school. One or more committee members are almost certain to read any work the candidates have published.

The AALS Registry is not the only way schools identify prospective faculty members. Some are identified from among the school's own graduates or upon the recommendations of faculty members from other schools. Because of the continuing importance of the latter route, those who wish to enter the market should inform former faculty members familiar with their work and any faculty members who have been designated by the dean to assist alumni who wish to enter teaching. Such faculty members are often willing to write or call colleagues at other schools, recommending alumni whom they regard as promising prospects. Letting the faculty of your school know of your interest in teaching is also important because many schools, in addition to examining the Registry, contact members of other faculties to obtain the names of promising candidates.

Once the appointments committee has identified candidates it regards as promising prospects, it will arrange for one or more members of the committee to meet each of them. On occasion, a candidate who appears especially attractive may be invited to visit the school forthwith or to meet with a faculty member who happens to be visiting the candidate's city. Most frequently, however, the committee arranges for a number of its members to interview promising candidates at the AALS Recruitment Conference held each November in Washington, D.C.

Candidates should prepare for these interviews. Although interviewers are in part interested in forming an impression of whether the candidate's personality and manner are suited to successful classroom teaching, the interviews are not social occasions. Their main function is to provide the faculty with information about the quality of a candidate's mind. Accordingly, candidates should come to the interviews prepared to be quizzed about their interests and to demonstrate their capacity to generate and articulate interesting ideas. Interviewers will also be attempting to elicit information about a candidate's analytic capacity, intellectual sophistication, and other intellectual qualities important to a successful academic career. The half hour or so that faculty members spend with a candidate is hardly sufficient by itself to permit an informed judgment, but taken together with other information the committee has gathered, it is quite useful in enabling the committee to decide which candidates the entire faculty should consider.

During the following month or two, as these judgments are being made, the committee will begin issuing invitations to candidates to visit the school and meet with the full faculty.⁹ Candidates should not be discouraged by the failure to receive an invitation immediately after their initial interview. Invitations may be deferred into January or February for any number of reasons that do not reflect a lack of interest. The committee may not have completed its investigation, for example, or it may have decided to give priority to other candidates because they already have offers from other schools or because it thinks that, by first inviting candidates with other interests, it can overcome anticipated opposition by a segment of the faculty especially interested in hiring people with those interests. Nor should the failure to receive an invitation necessarily be regarded as the equivalent of having failed a test. A committee may decide not to issue an invitation for any number of reasons that have nothing to do with its judgment about a candidate's merits. The school's limited budget may dictate that it confine its search to people who have certain subject matter interests or particular competencies or that it eliminate from consideration people whose interests are already well represented in its faculty. Because visits are expensive, especially in the demands they make upon the time of the faculty, a committee may even decide against an invitation because it believes that, in the end, it will be unable to attract the candidate.

Enough talk of rejection. Let us move on to the next stage of the process, the visit to the school. Candidates who have come this far run the risk of becoming so ego-involved that they forget that the visit has two functions, not only to enable the faculty to make a judgment on whether it wishes to extend an offer, but also to enable the candidate to determine whether he wishes to accept an offer. Although faculty members sometimes move from one school to another, probably most do not. So gather as much information as possible to determine whether the school and the city in which it is located are attractive environments in which to spend a life. And, when meeting faculty members, be yourself. Faculties pay a good deal less attention, if any, to a candidate's politics or other factors unrelated to professional promise than many people suppose. In any event, joining a faculty on the basis of an offer received under false

9. A few schools now invite candidates in whom they may have an interest to a preliminary meeting with the full appointments committee. The point of this preliminary visit is not merely to narrow the list of candidates to be considered by the entire faculty but to enlarge it by permitting committee members to become better acquainted with candidates it suspects may be more attractive than their records. Invitees are usually asked to give a brief talk—say, 30 minutes or so followed by an hour of questions and discussion about the talk.

pretenses is an almost certain prescription for later unhappiness.

The visit, which lasts a day or two, typically consists of two parts, a talk to the full faculty, perhaps including students, and meetings with small groups of faculty and perhaps a student group. Discussion at the small group sessions is likely to be wide-ranging, perhaps about the candidate's talk or other interests, perhaps about other legal or intellectual issues. Students and some faculty members may attempt to draw the candidate out about his or her ideas about teaching and interest in students. Whatever the subject, the object of these sessions is to enable the faculty to make a judgment about those intellectual and personal qualities of the candidate I have already mentioned.

The talk serves much the same function, but a few additional comments about it may nonetheless be useful. Because it is the faculty's only common experience with the candidate, it plays a large role in subsequent deliberations about whether to extend an offer. Candidates should, therefore, give it a good deal of thought beforehand. The subject should be one with which the candidate has considerable familiarity, and as I discussed earlier in regard to publication, it should avoid the pitfalls of being over- and under-ambitious. The most successful talks are those that demonstrate that the candidate knows what he is talking about (remember, it is very likely that an expert is in the audience), that reveal an interest in and a capacity for general ideas, and that display analytic ability. The question period following is at least as important as the talk. It provides information about not only the qualities I have mentioned previously, but several others important to success in the classroom. Does the candidate understand the questions put to him, and can he respond to them in a way that advances the discussion? Can he communicate effectively to people who are unfamiliar with the field? Does he have the ability to stand his ground under hard questioning, and conversely, does he know when to give way because the questioner has identified a defect in the argument? Has he anticipated counter-arguments, and how well does he respond to arguments he has not previously considered? The importance faculties attach to the talk and its aftermath suggests the wisdom of preparing for it by delivering or at least discussing it beforehand with friends and mentors. These need not be experts in the subject—indeed, it is probably better if some are not. Their questions and comments may reveal weaknesses in the argument and are likely to anticipate many of the issues that will be raised by the faculty and to thus furnish experience in responding.

Once the visit is over, all that remains is for the faculty to decide whether to extend an offer. At all of the schools with which I am familiar, an affirmative decision requires more than a bare majority

of those voting: say, two-thirds or the absence of "substantial opposition," with discretion in the dean to decide whether the number and intensity of the negative votes are sufficient to preclude an offer. During the time necessary for the faculty to vote, there is not much the candidate can do but wait. A decision may be delayed for any of a variety of reasons. All that I wrote earlier about the appointment committee's decision on whether to invite a candidate to visit the school applies equally here, with the added caution that the faculty's priorities may not be the same as those of the committee. At times a candidate may receive an offer from a school while awaiting a decision by the faculty of another he would prefer. The former may well be willing to hold the offer open for a reasonable time, but whether or not it is, a candidate should not be shy about informing the latter school of the offer. Not only might the school be led to expedite its decision, but its faculty may be moved by the favorable judgment implicit in the offer, especially if the offer has come from a school regarded as a peer.

The process by which one gains a faculty position is a daunting one. But there is no reason to be intimidated. There are approximately 6000 full-time law teachers in the United States. As you know from your days in law school, very few walk on water, even among those who have had years of experience. Moreover, when considering candidates for entry-level positions, faculty members know they are not dealing with experienced teachers and mature scholars. They are aware that much of what they themselves now know and can do has been learned "on-the-job" and that the same will be true for those currently entering teaching. They appreciate that their task is not to make riskless appointments, but to identify individuals whose personal and intellectual qualities offer significant promise that they will become successful, and hopefully distinguished, teachers and scholars.

Because this Journal is devoted to issues of race and the law, readers who have come this far may be surprised that nothing I have written specifically addresses members of racial or ethnic minorities. The reasons, quite simply, are that everything I have written applies equally to all prospective law teachers, regardless of race or ethnicity, and that, except to demonstrate the truth of that proposition, nothing of importance remains to be said to minority group members specifically. Some readers will regard these claims as either naive or disingenuous because they believe minority group members interested in an academic career confront special obstacles, ranging from conscious discrimination against them to greater difficulty than majority students in establishing relationships with faculty members and, therefore, in obtaining favorable recommendations that are helpful in securing a position. The available

evidence, however, demonstrates that whatever the obstacles that may once have limited opportunities for minority group members interested in teaching, membership in a minority racial or ethnic group is no longer the impediment it once was.

Of course, it would be foolish to deny that there may still be some institutions at which racial discrimination infects the hiring process, but as a frequent member of my school's appointments committee and as a frequent recipient of inquiries from other schools attempting to identify promising prospects, my firm impression is that law faculties generally are working very hard to identify and recruit promising minority law graduates. Personal impressions are not very strong evidence, however, and so I turn to hard data regarding patterns of law school hiring.

A recent study by the AALS reveals that during the five-year period from 1990-91 to 1994-95, the success rate of minority candidates listed in the AALS Registry was nearly double that of nonminority candidates.¹⁰ All minority groups had a higher success rate than Whites, but especially African Americans and Latinos, whose success rate was twenty-two and twenty-four percent, respectively, compared to an eleven-percent success rate for Whites. To be sure, nearly half of all appointees during the past five years were not listed in the AALS Registry. If minority group members are at a disadvantage in "networking" and other informal means of gaining employment, it might be expected that they would be underrepresented in this group of appointees. In fact, the percentage of new assistant and associate professors (the ranks at which most entry-level appointments are made) not listed in the previous year's Registry was significantly higher for minorities than for nonminorities,¹¹ strongly suggesting that minority group members were not at a disadvantage when hiring occurred by a less formal process than inclusion in the AALS Registry.¹² Indeed, the group of non-registrants that fared least well was the one widely thought to be the beneficiary of the so-called "old boy network," White males. Only thirty-six percent of new White male assistant and associate professors were in that category, compared with forty-nine percent of minority men, fifty-six percent of minority women, and fifty-two percent of nonminority women.¹³ The ultimate question, of course, is how well minority group members have fared recently in the academic marketplace. Not surprisingly, given the above data, the answer is "very well." Thirty percent of all new appointments at pro-

10. See ASSOCIATION OF AM. LAW SCHOOLS, *supra* note 8, at 12 tbl.7c.

11. See *id.* at 18 tbl.8c.

12. See *id.* at 14 tbl.7d.

13. See *id.* at 21-22 tbl.8e.

fessorial ranks during the academic years 1991-92 to 1995-96 were members of minority groups, and half of these were African Americans.¹⁴

In sum, the evidence is overwhelming that law schools are highly receptive—more, are eager to recruit—candidates who are members of minority groups. The latter are not at a disadvantage in the hiring process and, because of the efforts of many schools to diversify the racial and ethnic composition of their faculties, may well have an advantage. Of course, a substantial majority of minority group members who seek teaching positions will not be successful, but that is true for an even larger percentage of nonminorities. Law teaching is an unusually attractive career and, like all such careers, the competition for the available places is very keen. But take it from one who has spent the better part of a lifetime as a law professor, the rewards of that career are worth the effort to achieve it.

14. See *id.* at 7-8 tbl.4.